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Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

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Report of the Secretary-General

Summary

The present report is submitted pursuant to paragraph 11 of General Assembly resolution 57/14 of 19 November 2002. Eighteen Member States and the International Committee of the Red Cross transmitted to the Secretary-General the information requested by the General Assembly in its resolution 57/14. A list of States parties to the Additional Protocols of 1977 is contained in the annex.

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I. Introduction

1. On 19 November 2002, the General Assembly adopted resolution 57/14, entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts". In paragraph 11 of the resolution, the Assembly requested the Secretary-General to submit to it at its fifty-ninth session a report on the status of the two Additional Protocols of 1977 based on information received from Member States and the International Committee of the Red Cross.

2. Pursuant to that request, the Secretary-General, by notes verbales, dated 23 January 2003 and 23 January 2004 and letters dated 10 January 2003 and 14 January 2004 invited, respectively, Member States and the International Committee of the Red Cross (ICRC) to transmit to him by 30 June 2004 the information requested in paragraph 11 of General Assembly resolution 57/14 for inclusion in the report.

3. Replies have been received from Belarus, Brunei Darussalam, Canada, Costa Rica, Croatia, Finland, Germany, Japan, Kyrgyzstan, Lao People's Democratic Republic, Namibia, Paraguay, Portugal, Republic of Korea, Senegal, Sweden, Tunisia and the United Kingdom of Great Britain and Northern Ireland. A reply has also been received from the International Committee of the Red Cross. Extracts of the replies are contained in sections II and III of the present report.[1] The full texts of the replies are available for review in the Codification Division of the Office of Legal Affairs of the Secretariat.

4. The list of all States that are parties to the Protocols[2] Additional to the Geneva Conventions of 1949,[3] as at 2 June 2004, as communicated by the competent authorities of the Government of Switzerland, depositary of the Protocols, is contained in the annex to the present report.

II. Information received from Member States

Belarus

[Original: Russian]
[16 June 2004]

1. The Agreement on Priority Measures to Protect Victims of Armed Conflicts, adopted by the Commonwealth of Independent States (CIS), is one of the more recent international agreements in the field of international humanitarian law to which Belarus has become a party. This Agreement does not regulate issues concerning the special protection of individual population categories, but reinforces the general principles for protection of victims of armed conflict under the Geneva Conventions.

2. It should be noted that Belarus does not currently possess a comprehensive law covering the protection of all population sectors during armed conflict. Provisions dealing with this issue are to be found only in legislation regulating the status of individual population categories. Thus, the Act on the Rights of the Child stipulates that refugee children who have lost their homes or property during military action or armed conflict in national or other territories are entitled to protection of their

interests. Local executive and legal authorities where the child is located take action to trace the parents or relatives, provide material, medical and other assistance and refer the child to a medical or health facility, residential home or other educational/childcare institution where necessary (article 34).

3. Article 33 of the Act on the Rights of the Child prohibits the recruitment of children to participate in military action or armed conflict and the establishment of military units involving children. Individuals may be called up on short notice to serve in the armed forces or other military units of the Belarus only once they have reached the age of 18 years.

4. The activities of the Council of Ministers Commission on the Implementation of international humanitarian law (the Commission) include organizing and conducting seminars on issues relating to international humanitarian law.

5. On 29 April 2002, the Commission, the International Committee of the Red Cross (ICRC) regional delegation in Kiev and the Belarusian Ministry of Education conducted a seminar for teachers of international humanitarian law on the dissemination of international humanitarian law and the problems of teaching it in Belarus. At the close of the seminar, it was recommended that a course on international humanitarian law should be included in the curriculum of the specialty of jurisprudence, that it should be compulsory in military schools and in training institutes run by the Ministry of the Interior, and that greater latitude should be given to the institutions of higher learning to prepare study programmes and reorient their specialized courses. The Commission requested the Ministry of Education to approve those recommendations.

6. On 23 January 2003, the Commission held an international seminar on the suppression of war crimes, mainly for the purpose of exchanging experience on the enforcement of national legislation for the suppression of war crimes in other States and informing the judges and law enforcement officials about the judicial practice of the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, given that Belarus lacks experience with such courts. In addition to judges and law enforcement officials, experts from the Russian Federation, Canada and Belgium with direct experience in the matter, representatives of Belarusian State University and the Institute for Judicial Retraining and Skills Development, staff of the public prosecutor's office and judicial officials were invited to take part in the seminar.

7. At its meeting on 25 April 2003, the Commission adopted a decision on incorporating the study of international humanitarian law into the curricula of the specialties of jurisprudence, journalism and international relations. The Commission also proposed that the Ministry of Health should make the study of international humanitarian law part of the medical curriculum.

8. The Belarusian armed forces have had a Legal Service since 1992, and a significant number of agencies, divisions and organizations of the Ministry of Defence now have qualified military lawyers. In accordance with Ministry of Defence Order No. 590 on measures for the study of the four Geneva Conventions of 1949 and the Additional Protocols of 1977, officers of the Legal Service of the Belarusian armed forces shall act as legal advisers pursuant to article 82 of Protocol I.

Brunei Darussalam

[Original: English]
[1 July 2004]

1. Currently, there are no laws or regulations enforcing the Geneva Conventions and the Additional Protocols. However, the Brunei Darussalam Attorney General's Chambers have taken a proactive initiative by preparing a draft "enabling law", entitled "Draft Geneva Convention Order". The draft is still under serious consideration.

2. The International Committee on the Red Cross (ICRC) had established the Advisory Service on International Humanitarian Law, and the Attorney General's Chambers has good relations with the Advisory Services, based in Kuala Lumpur, Malaysia, particularly on matters relating to laws and preparation of "model" laws in enforcing such international humanitarian law conventions or treaties, in which Brunei Darussalam participates.

Canada

[Original: English]
[13 July 2004]

Canadian National Committee for Humanitarian Law (the Committee)

1. The mandate of the Canadian National Committee for Humanitarian Law is to facilitate the implementation of international humanitarian law in Canada, including the Geneva Conventions and the Additional Protocols. The objectives of the Committee are as follows:

- Monitoring the implementation of Canada's international obligations with respect to international humanitarian law;
- Strengthening cooperation within the international humanitarian law community by developing, inter alia, outreach programmes;
- Promoting the development and dissemination of international humanitarian law; and,
- Training in international humanitarian law.

2. Key initiatives during 2002-2004 include the development of a Committee web site (to be launched on 1 July 2004) and the maintenance of a list of international humanitarian law resource personnel (including academics, government officials and others), which will help expand knowledge of international humanitarian law in Canada.

3. In August 2003, two members of the Canadian Committee attended an ICRC-sponsored meeting of the National Commissions of International Humanitarian Law of the Americas. The Government of Canada contributed $15,000 in support of the meeting.

Canadian efforts to protect civilians

4. Canada has made the protection of civilians a central component of its foreign policy response to countries heading towards and in the midst of crisis. A key tenet

of this policy is promoting respect for international humanitarian law. Canada has supported international responses to both emergent and protracted humanitarian emergencies and the development and promotion of tools, strategies and guidelines that can help direct international responses to maximize the protection of civilians. Since 1999, Canada has provided close to $800 million in protection and assistance for crisis-affected populations, in addition to diplomatic and other initiatives.

5. Since 2002, Canada has focused on making further progress within the Security Council, inter alia, by supporting a series of workshops with Member States in New York and promoting the development of practical strategies for enhancing civilian protection by international and regional organizations and civil society actors in the field, via workshops, training manuals and field guidelines. For instance, Canada funded two United Nations Office for the Coordination of Humanitarian Affairs regional meetings on civilian protection, in South Africa in October 2002 and Mexico in March 2004. In March 2002, Canada supported a meeting organized by the African Parliamentary Union (APU) and ICRC on the protection of civilians in armed conflict and international humanitarian law, involving some 250 African parliamentarians in Niger. This was complemented by Canadian support for the recent June 2004 APU/Office of the United Nations High Commissioner for Refugees regional parliamentary conference on refugees in Africa, held in Benin, which resulted in the Cotonou Declaration and Programme of Action. In February 2004, Canada, in partnership with the African Union, helped create a new African Union special representative on the protection of civilians.

6. Canada has also actively promoted a range of specific activities under the protection of civilians rubric, including on the humanitarian impact of sanctions, impunity and international humanitarian law, access and safety of aid workers, insecurity in refugee camps, landmines and economic agendas in civil wars, internally displaced persons, sexual exploitation and violence and war-affected children.

International humanitarian law and the Canadian Forces

7. Canadian Forces personnel, both officers and non-commissioned members, receive primary international humanitarian law training during basic training. Certain military occupational classifications, particularly the medical, military police, intelligence and legal branches, receive international humanitarian law training specific to those classifications. Intermediate and advanced level international humanitarian law training is also given to certain Canadian Forces members in accordance with their ranks and responsibilities. For example, a full week of international humanitarian law training is incorporated into the curriculum of the command and staff course offered at the Canadian Forces College. Similarly, courses in international humanitarian law are offered to officer cadets attending the Royal Military College. Secondary international humanitarian law training is also given to all Canadian Forces members prior to all international operational deployments.

8. Canadian Forces experts and counsellors on international humanitarian law and legal officers serving in the Office of the Judge Advocate General provide legal advice on international humanitarian law to Canadian Forces commanders and staff officers at the strategic, operational and tactical levels and provide secondary international humanitarian law training to Canadian Forces officers and non-commissioned members, in accordance with article 82 of Additional Protocol I. All

Canadian Forces operational plans are reviewed to ensure consistency with international humanitarian law.

Canadian activities related to women affected by armed conflict

9. In efforts to implement obligations under Security Council resolution 1325 (2000), Canada and the United Kingdom developed a gender training initiative for military and civilian personnel involved in peace support operations. The initiative provides material for a three-day course on gender sensitization, complete with thematic overview and geographic case studies; it was piloted for a Canadian mixed military and civilian audience in the second quarter of 2002 and has since been used by the United Nations in the development of their own standard training modules for peacekeepers.

Costa Rica

[Original: Spanish]
[27 April 2004]

1. In the area of the dissemination and teaching of international humanitarian law, the Government of Costa Rica several months ago established, by means of an executive decree, a permanent Chair in honour of Sergio Vieira de Mello. The Chair, located at the Faculty of Law of the University of Costa Rica, has been named the Sergio Vieira de Mello Chair for the Protection of Persons in Situations of Armed Conflict and Displaced Persons. This initiative, co-sponsored by the Faculty of Law of the University of Costa Rica, the Office of the United Nations High Commissioner for Refugees and the Government of Costa Rica, is an important development in the area of the dissemination and teaching of international humanitarian law.

Croatia

[Original: English]
[13 July 2004]

1. As a country which has recently experienced the ravages of war, Croatia perceives international humanitarian law as reinforced protection of human rights in the event of armed conflict. Croatia continues to be in the mainstream of international humanitarian law, by following up regulatory practice in this area, welcoming new initiatives, condemning terrorism and advocating the policy of peace. Croatia has taken the steps to bring violators of international humanitarian law, in particular, violators of the Geneva Conventions of 1949 and the Additional Protocols of 1977, to justice, by including such violations in their criminal code.

2. Croatia has become a party to a majority of instruments related to international humanitarian law through succession. The provisions of the international conventions published in the official gazettes of the predecessor State are to apply, pending their publication in the Croatian language in the *Official Gazette: International Treaties*. The dissemination of knowledge of international humanitarian law has been envisaged in the national programme for youth, as well as in the draft of the national programme for human rights.

3. Croatia participated in the Twenty-eighth International Conference of the Red Cross, held in Geneva in December 2003, and made pledges, including to support the preparation and completion of the study on international humanitarian law. Furthermore, Croatian representatives attended the first world meeting of representatives of national committees on international humanitarian law, held in Geneva in March 2002, and took an active part within its working group. In December 2002, in Cavtat, Croatia, the Croatian National Committee organized an international meeting of representatives of national committees in the region with an aim to discuss humanitarian issues of mutual interest, such as the Schengen border and asylum question. Representatives of the Croatian National Committee also actively participated in many other meetings, including the first and second regional meetings of national committees of international humanitarian law, held, respectively, in Ljubljana in 2003 and Bratislava in 2004, and the second regional seminar for legal advisers of international humanitarian law, held in Prague in 2003.

Finland

[Original: English]
[30 June 2004]

1. The Ministry for Foreign Affairs, together with the Foreign Relations Committee of Parliament and the Finnish Red Cross, organized an international seminar in November 2003 in relation to the themes of the Twenty-eighth International Conference of the Red Cross and Red Crescent, on the theme "Protection of victims of armed conflict and violence: whose responsibility?" Participants to the seminar included representatives of the Government, Parliament, armed forces, the diplomatic community, media, humanitarian organizations and academia. The seminar topics dealt with a variety of humanitarian issues, such as the protection of civilians in crisis management operations and the feasibility of laying down criteria for humanitarian intervention.

2. The National Committee on International Humanitarian Law was actively involved in the preparations for the Conference. Finland made specific pledges in the Conference. Together with the other European Union Member States, Finland pledged to promote respect for international humanitarian law in peacekeeping operations, to support the effective functioning of the International Criminal Court and to raise public awareness in relation to international humanitarian law.

3. Finland also made joint pledges together with the other four Nordic countries on promotion of international humanitarian law, as one the criteria on which arms transfer decisions are made. Finland further pledged together with Sweden and Switzerland to initiate and support an international process of discussions, aiming to develop a shared understanding of how international humanitarian law should be applied to computer network attacks during armed conflict.

4. In addition to the activities organized or supported by the Ministry for Foreign Affairs, other institutions, such as the Finnish Red Cross, the Institute for Human Rights of the Åbo Akademi University and the Erik Castrén Institute of International Law and Human Rights of the University of Helsinki have organized courses and seminars and issued publications related to international humanitarian law within their fields of activity. Furthermore, the law faculties at the University of Helsinki, University of Lapland, University of Turku and the Institute for Human

Rights of the Åbo Akademi University provide courses, which address various issues relating to international humanitarian law.

5. Finland has submitted information on the national implementation of international humanitarian law to the International Committee of the Red Cross web page. Further details can be found there.

Germany

[Original: English]
[8 July 2004]

1. The Federal Ministry of Defense is responsible for the implementation of the norms of international humanitarian law within the German Armed Forces, the Bundeswehr. As provided for by the Law governing the Legal Status of Soldiers, instruction in international humanitarian law, and other international regulations, agreements and commitments, constitutes part of the training programmes for all military personnel in the German Armed Forces. Courses are held by legal advisers, teachers of law and the superior officers.

2. The Academy for Leadership of the Bundeswehr, the Leadership Development and Civic Education Centre, the German Academy for Defense Administration and Defense Technology, the Naval Operations School and the Fleet Command offer a variety of courses for legal advisers, teachers of law and field-grade officers on subjects dealing with international law, in particular international humanitarian law.

3. In addition to this, legal advisers and teachers of law have the opportunity to improve their knowledge of international law in a tailor-made tactics training course offered by the Army Officer School and by participating in training courses and seminars and extension courses in Germany and abroad.

4. Units selected for operations abroad receive additional training with legal components directly related to their mission and their operational area.

Kyrgyzstan

[Original: Russian]
[4 August 2004]

1. Beginning in 2004, resource centres on international humanitarian law will be established at the Kyrgyz Academy of Education, as well as at a number of higher educational establishments in Kyrgyzstan that will enhance the dissemination of knowledge of international humanitarian law.

2. In March 2004, the heads of the Ministry of Education of Kyrgyzstan, of the International Red Cross in Central Asia and of the National Red Crescent Society signed an agreement on further measures to organize the teaching of international humanitarian law in secondary schools and higher educational establishments in the Kyrgyz Republic in order to make provision for the training of professionals in international humanitarian law.

3. In April 2004, a seminar was held on the theme "International humanitarian law, human rights law and law enforcement activities" for law enforcement officials of Kyrgyzstan.

4. In June 2004, delegations from the armed forces institutions of Kyrgyzstan took part in the "Al-Farabi-2" competition on the law of armed conflict, with another competition scheduled, for a later date, for cadets of educational establishments of the ministries of defence and internal affairs in the Central Asian republics. Moreover, in September 2004, representatives of Kyrgyzstan will play an active part in the classes on international humanitarian law and human rights law to be held in Moscow.

Lao People's Democratic Republic

[Original: English]
[30 June 2004]

1. The Geneva Conventions of 1949 and the Additional Protocols of 1977 have been translated into the Lao language and will be soon disseminated.

2. Sponsored by the Asia-Pacific regional office of the International Committee of the Red Cross, a seminar has been organized for individuals, including members of the armed services, on principles of international humanitarian law, including the protection of victims of armed conflicts. Forty participants have attended the seminar.

3. The Government will take necessary measures to ensure that laws and regulations are made to protect the Red Cross symbol.

Namibia

[Original: English]
[26 April 2004]

1. In today's world of many conflicts, Namibia attaches great importance to international humanitarian law, the main purpose of which is to safeguard human dignity in all circumstances. In the light of this, the Parliament of Namibia passed the Geneva Conventions Act, 2003 (Act No. 15 of 2003). On 28 November 2003, the President of Namibia signed it into law and, on 18 December 2003, it was published in the Government Gazette in accordance with Article 56(1) of the Namibian Constitution.

2. The Geneva Conventions Act, 2003 gives effect to the Conventions of 1949 and the Additional Protocols of 1977 and provides for matters relating thereto. The Act criminalizes all grave breaches of the Geneva Conventions and Protocol I.

3. Namibia has established an Interministerial Committee on Human Rights and Humanitarian Law. This Committee has a subcommittee which deals specifically with humanitarian law. The Minister of Defence issued a directive that directs that the dissemination of international humanitarian law be made a priority in the Namibian Defence Force. At the end of January 2004, with the assistance of the International Committee of the Red Cross, 40 instructors were trained at the Military School.

Paraguay

[Original: Spanish]
[23 June 2004]

1. On 23 April 2004, Act No. 2365/04 was promulgated to amend Act No. 993 of 6 August 1928, prohibiting the use of the name, distinctive sign and emblem of the Red Cross. The earlier Act was no longer adequate in the light of subsequent provisions of international humanitarian law as contained in the Geneva Conventions of 1949 and Additional Protocols of 1977, to which Paraguay is a party. The present Act designates the Ministry of Defence as the institution responsible for monitoring the use of the indicative and protective emblem of the Red Cross and Red Crescent both in peacetime and in the event of armed conflict, and further provides for penalties for improper use of the emblem.

2. International humanitarian law is now a required subject for the armed forces, and a required examination topic for members of the armed forces seeking promotion to higher grades. Talks and meetings on international humanitarian law are held periodically for members of the armed forces and members of peacekeeping contingents. A seminar/workshop on international humanitarian law for military justice officers has been organized by the Directorate of Human Rights and International Humanitarian Law under the auspices of the Supreme Court of Military Justice.

Republic of Korea[4]

[Original: English]
[8 July 2004]

1. The Government of the Republic of Korea established the Korean National Committee for International Humanitarian Law on 17 October 2002. The Korean National Committee was established under the aegis of the Ministry of Foreign Affairs and Trade to recommend and advise on measures for implementation and dissemination of international humanitarian law. The Committee is composed of officials from the Ministry of Foreign Affairs and Trade, the Ministry of Education and Human Resources Development, the Ministry of Justice, the Ministry of National Defense, the Cultural Properties Administration, the Korean National Red Cross and university professors specializing in international humanitarian law. The Committee is mandated to carry out such activities as making recommendations relating to measures to implement international humanitarian law, ratification of relevant treaties and adoption of new legislation or amendments to accommodate obligations under international humanitarian law treaties; providing relevant education at military academies and universities, as well as to the general public; interpretation and application of international humanitarian law principles; and cooperation with the International Committee of the Red Cross and national committees in other countries.

2. The Government of the Republic of Korea has a study under way to examine its domestic laws and regulations with a view to ensuring faithful implementation of the four Geneva Conventions of 1949 and the two Additional Protocols of 1977 to which the Republic of Korea is party.

Senegal

[Original: French]
[9 July 2004]

1. Measures undertaken by the Government are aimed, in particular, at strengthening the existing body of rules comprising international humanitarian law, in order to ensure its dissemination and full implementation at the national level.

2. Having ratified most of the instruments relating to international humanitarian law, the Government is making every effort to translate these international commitments into action. Hence, Senegal has integrated modules covering international humanitarian law instruments into the training programmes of troop unit training centres and military schools.

Sweden

[Original: English]
[21 June 2004]

1. Sweden continues to devote important efforts to strengthening the implementation of international humanitarian law and the protection of victims of armed conflict. It attaches great importance to the dissemination of the rules laid down in the Geneva Conventions of 1949 and the Additional Protocols of 1977. New texts in Swedish, English and French of the Geneva Conventions and the Additional Protocols have recently been printed and distributed in Sweden and to the Swedish representatives abroad.

2. Sweden actively promotes respect for international humanitarian law in connection with crises management operations under the aegis of the European Union. This includes observations that rules of engagement and other guiding texts are in line with international humanitarian law, in particular regarding the issue of children in armed conflict.

Tunisia

[Original: Arabic]
[4 August 2004]

1. The Government has adopted legislation in this area, including the National Service Act No. 1 of 2004, wherein, under article 1, the minimum age for the performance of national service was established at 20 years, which is consistent with the recommendations contained in article 77 of Protocol I Additional to the Geneva Conventions of 1949.

2. Regarding the dissemination of international humanitarian law, the subject is included in the curriculum of all military higher educational institutions, as well as at the school for non-commissioned officers and the school for sergeants. Furthermore, military personnel take part in seminars held in other countries on the subject of international humanitarian law. National and regional symposia are also organized in conjunction with the International Committee of the Red Cross, in order to study and discuss the latest developments in international humanitarian law.

United Kingdom

[Original: English]
[25 June 2004]

1. On 22 November 2002, the United Kingdom Interdepartmental Committee for International Humanitarian Law in conjunction with the British Red Cross Society organized a conference on the relevance of the 1977 Additional Protocols, to mark the twenty-fifth anniversary of their adoption. This included a presentation and discussion of the International Humanitarian Fact-Finding Commission and ways to encourage its use.

2. Since the United Kingdom's ratification on 28 January 1998 of the First Additional Protocol I to the 1949 Geneva Conventions, the Government has been conducting formal weapons reviews in accordance with article 36 of that Protocol. Since 2002, a dedicated tri-service team specifically tasked with conducting such reviews has been formed at the United Kingdom Joint Doctrine and Concepts Centre.

3. The United Kingdom Interdepartmental Committee for International Humanitarian Law met on 9 October 2002 and 16 October 2003. Dissemination and training were among the matters discussed.

4. The Foreign and Commonwealth Office, in conjunction with the United Kingdom Interdepartmental Committee for International Humanitarian Law and the British Red Cross Society, initiated in July 2002, a specific training course for civil servants on international humanitarian law. This course was repeated in March 2003 and March 2004. Such training directly responds to the Government's obligations to ensure that any civilian authorities who, in time of armed conflict, assume responsibilities in respect of the application of the 1949 Geneva Conventions and their 1977 Additional Protocols shall be fully acquainted with their texts.

5. The Foreign and Commonwealth Office organized, jointly with the British Red Cross Society, a Commonwealth Red Cross and Red Crescent Conference on international humanitarian law in February 2003 on the theme "Working in partnership". Delegations from the Governments and the National Red Cross and National Red Crescent Societies of most Commonwealth States attended that Conference. The Conference promoted ratifications of international humanitarian law treaties, including the 1977 Additional Protocols, and discussed practical measures for their effective dissemination and implementation.

6. The United Kingdom Joint Services' Manual on the Law of Armed Conflict was published in July 2004. This is a comprehensive text which sets out the United Kingdom interpretation of *jus in bello* and which supersedes previous British Army manuals and similar guidance for the Royal Navy and the Royal Air Force.

III. Information received from international organizations

International Committee of the Red Cross

[Original: English]
[18 June 2004]

1. The protection of war victims is largely dependent on respect for international humanitarian law. In accordance with the mandate conferred on it by the international community, ICRC strives to promote compliance with this body of law and to contribute to its development. Both at headquarters and in the field, ICRC encourages States to become parties to the various humanitarian instruments and to implement them. The ICRC Advisory Service on International Humanitarian Law provides States with technical advice to help them adopt the required national measures.

Measures taken at the international level to strengthen the existing body of international humanitarian law

2. In September 2002, ICRC launched a rare public appeal to Governments, scientists and industry on the theme "biotechnology, weapons and humanity", reflecting its concern that while advances in the life sciences are potentially of great benefit to mankind, they also carry enormous risks when turned to hostile use. The appeal and its follow-up activities were designed to promote awareness of the laws, both national and international, prohibiting poisoning and the deliberate spread of disease and at the same time draw attention to the duty of all those involved in the life sciences to take practical steps to ensure that these laws were respected.

3. At the end of 2002, ICRC launched a project on the reaffirmation and development of international humanitarian law. The aim was to provide a framework for internal discussions and external consultations on current and emerging issues of international humanitarian law, including its applicability to the fight against terrorism. As part of the project, a series of expert meetings were organized in 2003, including five regional seminars on the theme "Improving compliance with international humanitarian law", which were held between April and September in cooperation with other institutions and organizations. The wealth of ideas and proposals put forward during the discussions provided a sound basis for further work on improving compliance with international humanitarian law.

4. Both in 2003 and 2004, ICRC took part in ongoing negotiations and discussions on the drafting of a legally binding instrument to protect people from enforced disappearance. In previous years, it has also taken part in discussions on the drafting of basic principles governing reparations for victims of violations of human rights and international humanitarian law.

5. Of particular significance during the year 2003 was the adoption of two key documents by the Twenty-eighth International Conference of the Red Cross and Red Crescent, held in Geneva in December 2003. The first, a declaration entitled "Protecting human dignity", clearly reaffirms the relevance of international humanitarian law in today's armed conflicts and reiterates the obligation of all parties to fully comply with its rules. The second document, entitled "Agenda for humanitarian action", addresses, among other concerns, the issue of persons missing in connection with armed conflicts and other situations of violence and the need to

reduce the human suffering resulting from the availability, use and misuse of weapons.

6. At the Twenty-eighth International Conference, States parties to the 1949 Geneva Conventions, the components of the International Red Cross and Red Crescent Movement and participants with observer status were given a second opportunity to make pledges translating their good will into specific humanitarian commitments. Many of the pledges made by Governments relate to the ratification of treaties, the adoption of national implementation measures or the creation of a national committee on international humanitarian law. ICRC noted that some of these pledges have already been fulfilled and that others are on their way to being honoured.

Dissemination

7. In its contacts with government representatives and other authorities, ICRC has continued to recommend participation in existing treaties of international humanitarian law and also to promote the dissemination of the law and its full implementation at national level.

8. ICRC delegates at headquarters and in the field have remained very active in their efforts to promote the dissemination of international humanitarian law. ICRC legal experts have attended numerous conferences and seminars, while continuing to provide a range of international and national institutions and organizations with expertise on various topics of humanitarian law. The primary aim of these activities was to promote the law and to stress the relevance of its provisions and the need for national implementation.

9. ICRC regularly conducts information campaigns for audiences as varied as military personnel, members of national Red Cross and Red Crescent societies, government staff, school children, students and teachers, health-care workers, media representatives and the general public. Activities to promote awareness of humanitarian law have intensified and become more diverse. In the past years, dissemination material aimed at specific audiences has been developed or updated, translated into numerous languages, promoted and distributed.

Legal and technical assistance

10. For international humanitarian law to be fully respected, it is of paramount importance that States adopt domestic legislation to implement its rules. ICRC, through its Advisory Service, is committed to helping national authorities adopt and implement the legislative, regulatory and administrative measures required to ensure respect for the law at the national level.

11. The Advisory Service has provided technical assistance to many States. Among other things, it has given advice concerning ratification of the two Additional Protocols of 1977 and the drafting of implementing legislation for the Geneva Conventions and their Protocols. It has also provided assistance in amending or adopting new legislation on the repression of war crimes.

Support to national committees on international humanitarian law

12. A considerable amount of work has been done throughout the world by national committees on international humanitarian law. As advisers to their Governments, national committees can take action to bring about the conditions required for compliance with the law, which begins with preparatory work at the national level. The number of national committees has continued to increase, reaching 67 at the end of May 2004.

13. To help increase the effectiveness of national committees, the Advisory Service has produced specific documents and tools. For instance, it has drafted detailed guidelines to facilitate their work that were included in the report of a meeting of representatives of national committees held in 2002. In 2003, to foster the exchange of information and experience while strengthening contacts between the national committees, it launched an electronic forum allowing interactive discussion and providing access to relevant documents.

14. In addition, regional meetings of national committees have continued to be organized by or in cooperation with ICRC in many countries.

National and regional events

15. The Advisory Service of ICRC has organized and taken part in a number of workshops, discussion groups and seminars, held at national and regional levels, to promote the broadest possible debate on subjects relating to the ratification of international humanitarian law treaties and their national implementation. By attending such events, national authorities can become more familiar with specific topics related to international humanitarian law. They also have the opportunity to exchange views and compare their respective approaches to national implementation. States are also encouraged and helped to give the best possible follow-up to the conclusions reached or recommendations made during these meetings.

Contacts and work with other organizations

16. Taking their respective scopes of activity and mandates into account, ICRC works together with other organizations to create the best possible synergies, raise awareness of international humanitarian law issues among their member States and achieve shared goals of ratification and national implementation. It has cooperated to this end with international organizations such as the United Nations, the Organization of American States, the League of Arab States, the Economic Community of West African States, the Asian-African Legal Consultative Organization, the Council of Europe, the European Union, the United Nations Educational, Scientific and Cultural Organization and the Organization for the Prohibition of Chemical Weapons.

17. To the same end, contacts have been maintained or strengthened with other bodies such as the International Criminal Court, the Inter-American Court of Human Rights, the African Commission on Human and Peoples' Rights, the Inter-Parliamentary Union, the African Parliamentary Union and the Commonwealth Secretariat. In order to coordinate efforts to promote certain treaties relating to international humanitarian law, the Advisory Service has also been in contact with such organizations as the Coalition for the International Criminal Court and

organizations active in matters relating to the use of chemical or biological weapons.

Support documents and tools

18. To encourage States in their implementing efforts, the Advisory Service has continued to collect, analyse and make available legislation adopted by States and to produce specialized documents. It has updated and added to its series of fact sheets, prepared new model legislation, worked on the publication of a manual on national implementation of international humanitarian law and launched an electronic forum for national committees on international humanitarian law.

Conclusion

19. Participation in international treaties is essential, but it is merely the first step. States Parties to international humanitarian law treaties have a legally binding commitment to adopt national implementation measures and, specifically, national legislation, so as to be in a position to respect and ensure respect for the law in all circumstances. The implementation and dissemination of humanitarian law at the national level is an ongoing task, and sustained and increased commitment from Governments will be needed to ensure that the law is better respected.

Notes

[1] The replies of Japan and Portugal dealt solely with their participation in the Additional Protocols. This information is included in the annex, and no extracts from their reports appear in section II.

[2] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

[3] Ibid, vol. 75, Nos. 970-973.

[4] The reply of Republic of Korea, dated 23 October 2002, was submitted pursuant to the previous General Assembly resolution (resolution 55/144), but was received after preparation of the previous report of the Secretary-General (A/57/164) and dealt with the forthcoming establishment of the Korean National Committee for International Humanitarian Law.

Annex

List of States parties to the Protocols Additional to the Geneva Conventions of 1949 as at 2 June 2004[a]

State	*Date of ratification, accession or succession*
Albania	16 July 1993
Algeria (Protocol I only)[b,c]	16 August 1989
Angola (Protocol I only)[b]	20 September 1984
Antigua and Barbuda	6 October 1986
Argentina[b,c]	26 November 1986
Armenia	7 June 1993
Australia (Protocol I only)[b,c]	21 June 1991
Austria[b,c]	13 August 1982
Bahamas	10 April 1980
Bahrain	30 October 1986
Bangladesh	8 September 1980
Barbados	19 February 1990
Belarus[c]	23 October 1989
Belgium (Protocol I only)[b,c]	20 May 1986
Belize	29 June 1984
Benin	28 May 1986
Bolivia[c]	8 December 1983
Bosnia and Herzegovina[c]	31 December 1992
Botswana	23 May 1979
Brazil[c]	5 May 1992
Brunei Darussalam	14 October 1991
Bulgaria[c]	26 September 1989
Burkina Faso	20 October 1987
Burundi	10 June 1993
Cambodia	14 January 1998

State	Date of ratification, accession or succession
Cameroon	16 March 1984
Canada[b,c]	20 November 1990
Cape Verde[c]	16 March 1995
Central African Republic	17 July 1984
Chad	17 January 1997
Chile[c]	24 April 1991
China (Protocol I only)[b]	14 September 1983
Colombia (Protocol I)[c]	1 September 1993
(Protocol II)	14 August 1995
Comoros	21 November 1985
Congo	10 November 1983
Cook Islands[c]	7 May 2002
Costa Rica[c]	15 December 1983
Côte d'Ivoire	20 September 1989
Croatia[c]	11 May 1992
Cuba (Protocol I)	25 November 1982
(Protocol II)	23 June 1999
Cyprus (Protocol I)[c]	1 June 1979
(Protocol II)	18 March 1996
Czech Republic[c]	5 February 1993
Democratic People's Republic of Korea (Protocol I only)	9 March 1988
Democratic Republic of the Congo (Protocol I)[c]	3 June 1982
(Protocol II)	12 December 2002
Denmark (Protocol I only)[b,c]	17 June 1982
Djibouti	8 April 1991
Dominica	25 April 1996
Dominican Republic	26 May 1994
Ecuador	10 April 1979
Egypt[b]	9 October 1992

State	Date of ratification, accession or succession
El Salvador	23 November 1978
Equatorial Guinea	24 July 1986
Estonia	18 January 1993
Ethiopia	8 April 1994
Finland (Protocol I only)[b,c]	7 August 1980
France (Protocol I)[b]	11 April 2001
(Protocol II)[b]	24 February 1984
Gabon	8 April 1980
Gambia	12 January 1989
Georgia	14 September 1993
Germany[b,c]	14 February 1991
Ghana	28 February 1978
Greece (Protocol I)[c]	31 March 1989
(Protocol II)	15 February 1993
Grenada	23 September 1998
Guatemala	19 October 1987
Guinea[c]	11 July 1984
Guinea-Bissau	21 October 1986
Guyana	18 January 1988
Holy See[b]	21 November 1985
Honduras	16 February 1995
Hungary[c]	12 April 1989
Iceland (Protocol I only)[b,c]	10 April 1987
Ireland[b,c]	19 May 1999
Italy (Protocol I only)[b,c]	27 February 1986
Jamaica	29 July 1986
Jordan	1 May 1979
Kazakhstan	5 May 1992
Kenya	23 February 1999

State	Date of ratification, accession or succession
Kuwait	17 January 1985
Kyrgyzstan	18 September 1992
Lao People's Democratic Republic[c]	18 November 1980
Latvia	24 December 1991
Lebanon	23 July 1997
Lesotho	20 May 1994
Liberia	30 June 1988
Libyan Arab Jamahiriya	7 June 1978
Liechtenstein[b,c]	10 August 1989
Lithuania[c]	13 July 2000
Luxembourg[c]	29 August 1989
Madagascar[c]	8 May 1992
Malawi	7 October 1991
Maldives	3 September 1991
Mali[c]	8 February 1989
Malta[b,c]	17 April 1989
Mauritania	14 March 1980
Mauritius	22 March 1982
Mexico (Protocol I only)	10 March 1983
Micronesia (Federated States of)	19 September 1995
Monaco	7 January 2000
Mongolia (Protocol I only)[b,c]	6 December 1995
Mozambique (Protocol I)	14 March 1983
(Protocol II)	12 November 2002
Namibia[c]	17 June 1994
Netherlands (Protocol I only)[b,c]	26 June 1987
New Zealand (Protocol I only)[b,c]	8 February 1988
Nicaragua	19 July 1999

State	Date of ratification, accession or succession
Niger	8 June 1979
Nigeria	10 October 1988
Norway[c]	14 December 1981
Oman[b]	29 March 1984
Palau	25 June 1996
Panama[c]	18 September 1995
Paraguay[c]	30 November 1990
Peru	14 July 1989
Philippines (Protocol II only)	11 December 1986
Poland[c]	23 October 1991
Portugal[c]	27 May 1992
Qatar (Protocol I only)[b,c]	5 April 1988
Republic of Korea (Protocol I only)[b, c]	15 January 1982
Republic of Moldova	24 May 1993
Romania[c]	21 June 1990
Russian Federation[b,c]	29 September 1989
Rwanda[c]	19 November 1984
Saint Kitts and Nevis	14 February 1986
Saint Lucia	7 October 1982
Saint Vincent and the Grenadines	8 April 1983
Samoa	23 August 1984
San Marino	5 April 1994
Sao Tome and Principe	5 July 1996
Saudi Arabia (Protocol I)[b]	21 August 1987
(Protocol II)	28 November 2001
Senegal	7 May 1985
Seychelles[c]	8 November 1984
Sierra Leone	21 October 1986

State	*Date of ratification, accession or succession*
Slovakia[c]	2 April 1993
Slovenia[c]	26 March 1992
Solomon Islands	19 September 1988
South Africa	21 November 1995
Spain (Protocol I only)[b,c]	21 April 1989
Suriname	16 December 1985
Swaziland	2 November 1995
Sweden (Protocol I only)[b,c]	31 August 1979
Switzerland (Protocol I only)[b,c]	17 February 1982
Syrian Arab Republic (Protocol I only)[b]	14 November 1983
Tajikistan[c]	13 January 1993
The former Yugoslav Republic of Macedonia (Protocol I only)[b,c]	1 September 1993
Togo[c]	21 June 1984
Tonga[c]	20 January 2003
Trinidad and Tobago[c]	20 July 2001
Tunisia	9 August 1979
Turkmenistan	10 April 1992
Uganda	13 March 1991
Ukraine[c]	25 January 1990
United Arab Emirates[b,c]	9 March 1983
United Kingdom (Protocol I only)[b,c]	28 January 1998
United Republic of Tanzania	15 February 1983
Uruguay[c]	13 December 1985
Uzbekistan	8 October 1993
Vanuatu	28 February 1985
Venezuela	23 July 1998
Viet Nam (Protocol I only)	19 October 1981
Yemen	17 April 1990

State	Date of ratification, accession or succession
Yugoslavia[c]	16 October 2001
Zambia	4 May 1995
Zimbabwe	19 October 1992

[a] Information was taken from the International Committee of the Red Cross web site, which is based on information received from the Depositary of the Geneva Conventions and Additional Protocols, i.e., the Swiss Federal Department of Foreign Affairs in Bern.
[b] Ratification, accession or succession accompanied by a reservation and/or a declaration.
[c] Party which has made the declaration provided for under article 90 of Protocol I.